

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA	:	
	:	
v.	:	1:22CR219-1
	:	
TREVION DEMOND SCOTT	:	

FACTUAL BASIS

NOW COMES the United States of America, by and through Sandra J. Hairston, United States Attorney for the Middle District of North Carolina, and states that the factual basis for a guilty plea is as follows:

June 7, 2021 Attempted Traffic Stop

On June 7, 2021, a Montgomery County Sheriff's Office (MCSO) Deputy attempted to stop the female driver of a 2011 Honda automobile for failure to maintain lane control and speeding in violation of North Carolina law in Candor, North Carolina. Initially, the driver of the Honda yielded when the deputy activated his patrol vehicle's blue light and sirens, by pulling over to the shoulder of the highway and slowing down. However, the female driver then signaled to the left and drove back onto the travel lanes of the highway and accelerated away from the deputy, which resulted in a vehicle pursuit.

While the Honda was traveling down Sparrow Drive in Candor, the deputy observed the passenger door continuously opening and a male

passenger trying to step out of the vehicle, but not doing so because the Honda was traveling too fast. At the end of Sparrow Drive, both the male passenger and the female driver got out and ran from the Honda, which came to rest against a small tree. The deputy observed the female driver run to the left towards a gravel path, and the male passenger, who was wearing green clothing, run to the right towards a wooded area. As the man first got out of the Honda, he pointed a light-colored AR style pistol towards the deputy's patrol car. In response, the deputy who was still seated in the driver's seat drew his service weapon, a pistol, from his holster and fired four rounds in the man's direction.

The two subjects escaped, despite attempts to track them by a K-9 handling officer. Officers eventually located an AR style pistol lying on the ground along the path where the male subject had run. The firearm was a fully loaded Anderson Manufacturing, model AM-15, multi-caliber pistol, bearing serial number 20343416 ("AM-15 pistol").

ATF Investigation of the Recovered AM-15 Pistol

A detective with the MCSO requested an urgent trace of the AM-15 pistol from the federal Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). ATF tracing records indicated that the AM-15 pistol's lower receiver was

purchased on May 5, 2021, by a female with the last name Scott,¹ with a listed address on Cemetery Road, Candor, North Carolina, in Montgomery County, within the Middle District of North Carolina. The record indicated she purchased the lower receiver from Southern Variety Guns and Ammo #2 located on West Main Street, Biscoe, North Carolina.

On June 10, 2021, a Senior Special Agent with ATF (ATF agent) and the detective with the MCSO went to Southern Variety Guns and Ammo #2 and obtained copies of three forms, which were firearms transaction records for Ms. Scott. These ATF Form 4473 records reflected that Ms. Scott made three purchases between April 9, 2021 and May 18, 2021. On April 9, 2021, she purchased the lower receiver for the AM-15 pistol that was recovered by the MCSO on June 7, 2021. On May 5, 2021, she purchased another lower receiver, an Anderson Manufacturing, model AM-15, multi caliber lower receiver, bearing serial number 20343416. On May 18, 2021, she purchased a Girsan, model MC28, 9mm pistol.

On July 29, 2021, the ATF agent and two detectives with the MCSO went to Ms. Scott's residence on Cemetery Road, Candor, North Carolina, and conducted a consensual interview about the recovered AM-15 pistol. During

¹ The purchaser is the defendant's mother, Katina Yvette Scott, who lived at the same residence as her son.

the interview, Ms. Scott's son, the defendant, TREVION DEMOND SCOTT was also present and answered questions.

The ATF agent showed Ms. Scott a picture of an Anderson Manufacturing lower receiver and asked if she remembered buying these items. The ATF agent then asked if she would show him the items she had purchased. Ms. Scott said that she remembered buying them and walked the officers to a black Ford Mustang in the driveway, opened the trunk, and looked inside. She stated the three items were not there. She said that the Mustang belonged to her husband who worked as a truck driver and was currently away for work.

Ms. Scott then called to her son, SCOTT, and asked him to come outside and if he knew where the firearms were. SCOTT peered into the Mustang's trunk and said that nothing was there. The ATF agent asked Ms. Scott about the handgun she purchased, and she went inside the house and returned with a purple Walther, model PK380, .380 caliber pistol. The ATF agent advised that this was not the handgun he was looking for and specifically mentioned the Girsan, model MC28, 9mm pistol. Her son, SCOTT, then walked over to his mother's sedan and stated that the pistol was in her vehicle.

Ms. Scott stated she bought the AM-15 lower receiver for her husband. The ATF agent then informed both of them that the AM-15 lower receiver was

involved in the June 7, 2021 traffic stop and officer involved shooting incident. SCOTT then acknowledged that he took the lower receiver his mother had purchased and built the completed AM-15 pistol from parts he bought on the Internet. The ATF agent then showed SCOTT a photograph of the completed AM-15 pistol that was recovered on June 7, 2021, and SCOTT confirmed that it was the firearm he built.

SCOTT then stated the firearm was missing earlier, but he never got around to reporting the firearm stolen. SCOTT stated that the pistol he built, and the other missing lower receiver were stored in the same bag. SCOTT said that it cost him approximately \$700-800 to build a completed firearm.

A detective asked Ms. Scott if there were any other firearms in the house and if the officers could check and confirm that other firearms were missing. Ms. Scott consented. During the consensual search, the officers located a Remington, model 835, 12 gauge caliber shotgun, bearing serial number UM399765, which was found in SCOTT's bedroom closet. It was noted that this shotgun was a short-barreled shotgun with a barrel length of 15 inches. SCOTT admitted the short-barreled shotgun was his.

SCOTT's Interview and Admissions to Investigators

On the same day, July 29, 2021, SCOTT agreed to go to the MCSO. SCOTT and his mother traveled to the MCSO on their own and SCOTT was

not arrested or in custody. In the interview room he was provided with *Miranda* warnings, waived his rights, and agreed to speak to investigators. SCOTT admitted that the short-barreled shotgun had been given to him approximately three weeks prior (July 2021) and that he usually kept it in his closet. He said he was not present when the shotgun was modified (barrel cut down) and acknowledged that the shotgun was in that condition when he received it.

Regarding the AM-15 pistol, SCOTT said that he had begun working on firearms the past year and was learning from watching YouTube videos. He said that he had ordered four upper receivers from Grid Defense online. SCOTT said that he had built the AM-15 pistol in April 2021, which was later recovered by law enforcement on June 7, 2021. SCOTT said he was not present when his mom purchased the lower receivers from Southern Variety Guns and Ammo #2. He said that he had fired the AM-15 pistol at his house. SCOTT maintained that the AM-15 pistol went missing from the trunk in May or June and that he was hoping it might come back, but that he did not sell it. He acknowledged that neither he nor his mother had reported it as stolen.

SCOTT said that he was purchasing some parts for friends, but stated that he could not do it for them, but could order the parts. He said one upper was in his closet, two were ordered for a friend, and one was bought for his

cousin. When asked if people had come to SCOTT to build guns he said, “yeah.” Investigators asked about the short-barreled shotgun again and inquired if SCOTT would cooperate and tell them who he got it from. SCOTT declined.

**Records Check of the National Firearms Registration
and Transfer Record Database**

On August 3, 2021, the ATF agent requested a database check of the National Firearms Registration and Transfer Record to seek registration information for the short-barreled Remington, model 835, 12 gauge shotgun, bearing serial number UM 399765, which was seized from SCOTT’s bedroom closet, as well as any records of National Firearms Act (NFA) weapons registered to TREVION DEMOND SCOTT.

Under the NFA, Title 26, Chapter 53 of the United States Code, a “firearm” includes a shotgun having a barrel of less than 18 inches in length, pursuant to Title 26, United States Code, Section 5845(a). The Remington shotgun is a “firearm” under the NFA, because it had a barrel length of 15 inches. Accordingly, the firearm should have been registered pursuant to Title 26, Chapter 53 in the NFRTR database. It is a violation of the NFA for any person to “receive or possess a firearm which was not registered to him in the National Firearms Registration and Transfer Record,” pursuant to Title 26, United States Code, Section 5861(d).

On August 5, 2021, an ATF Firearms and Explosives Services Specialist responded to the NFRTR database query. The response showed that there was no record that the short-barreled shotgun had ever been registered as required in the NFRTR database and was not registered in SCOTT's name.

Records Check of the Federal Licensing System

On August 27, 2021, the ATF agent submitted an ATF Federal Licensing System (FLS) check to determine if TREVION DEMOND SCOTT had a obtained a firearm manufacturer or dealer license. An ATF Intelligence Research Specialist reported that there was no record in the database that SCOTT had ever obtained a firearm manufacturer's license or firearm dealer's license.

Bank Records

Using a legal process, the ATF agent obtained the bank records from N.C. State Employees Credit Union which was linked to a Visa debit card used by SCOTT. The records showed that SCOTT was the primary account holder and that his mother was the secondary account holder. The address on the account was SCOTT's residence on Cemetery Road, Candor, North Carolina.

A review of bank statements from January 1, 2021, through August 13, 2021 showed six firearm-related purchases from Ghost Firearms:

- Transaction date 1/4/2021, posted date 1/5/2021

- \$338.99 purchase from Ghost Firearms
- Transaction date 2/4/2021, posted date 2/8/2021
 - \$163.99 purchase from Ghost Firearms
- Transaction date 4/16/2021, posted date 4/19/2021
 - \$360.99 purchase from Ghost Firearms
- Transaction date 5/5/2021, posted date 5/6/2021
 - \$285.99 purchase from Ghost Firearms
- Transaction date 5/8//2021, posted date 5/10/2021
 - \$261.09 purchase from Ghost Firearms
- Transaction date 5/29/2021, posted date 6/1/2021
 - \$933.48 purchase from Ghost Firearms

Additionally, numerous ATM records including photographs of the user of the Visa debit card showed SCOTT using the debit card at various ATMs. Of note, in two of the ATM photographs, SCOTT was wearing the same black Champion brand hoodie sweatshirt that he was also wearing in Instagram photos and videos later obtained in the investigation. In one of the ATM photographs, SCOTT was wearing the same distinct pendant necklace chain that he was also wearing in a profile picture for one of his Instagram accounts.

Firearm Parts Purchase Records

On September 30, 2021, the ATF agent visited three Federal Firearm Licensees (FFL) located in Biscoe, Rockingham, and Vass, North Carolina to review records related to firearm-related purchases from those stores using SCOTT's Visa debit card as also reflected in SCOTT's bank records.

The ATF agent first visited Southern Variety Guns and Ammo in Biscoe, North Carolina. They discussed SCOTT's purchases on December 29, 2020 for \$13.20, December 31, 2020 for \$16.03, and on January 9, 2021 for \$16.51 and \$33.03 and the store clerk indicated that they would have to check their paper receipt records to determine the parts that were purchased. Approximately two weeks later the ATF agent learned that the December 29 purchase was for a Promag handguard, the December 31 purchase was for Wolf .223 caliber ammunition, and one of the purchases on January 9, 2021 was for an AR rifle magazine.

The ATF agent next visited Dunham's Sporting Goods in Rockingham, North Carolina. They discussed SCOTT's purchase on December 29, 2020 for \$469.69. A check of the business's FFL records showed that SCOTT did not purchase a firearm on that date. However, the general manager advised that she could not go back far enough in the store's records system to determine the specific item or items purchased by SCOTT on that date.

The ATF agent last visited Ed's Gun Shop in Vass, North Carolina. They discussed SCOTT's purchases on April 28, 2021 for \$74.85 and on May 5, 2021 for \$74.85. The store owner advised that parts with a sales price of \$69.95 would ring up with tax at the amount \$74.85. The store owner advised that the CMMG brand AR15 Premium Lower Parts Kit retailed at a price of \$69.95 before tax. The ATF agent photographed this AR15 lower receiver parts kit.

Grid Defense/Ghost Firearms Purchase Records

Using a legal process, the ATF agent obtained SCOTT's purchase records from Ghost Firearms. The business Grid Defense was located at 828 S. Nova Road, Daytona Beach, Florida. The business also did business online as Ghost Firearms, which used the same physical address as the Grid Defense business. The business provided purchase records pertaining to SCOTT's purchase history including Grid Defense invoices for each purchase and the corresponding online order confirmation from Ghost Firearms, LLC including a description of the item ordered, and the billing and shipping information. All of the business transaction records indicated that SCOTT was the purchaser and listed his name on the billing and shipping information, including his address on Cemetery Road in Candor, North Carolina and his e-mail address eltreyvo23@gmail.com. Through a legal process, the ATF agent confirmed that this Gmail account with Google LLC was subscribed to Treyvo Scott, aka

Trevion SCOTT, with a listed SMS account recovery cell phone number of (XXX) XXX-7080, which was SCOTT's cell phone number as determined by investigators earlier in the investigation.

The Grid Defense/Ghost Firearms records showed that SCOTT purchased the following items:

- January 4, 2021
 - Ghost Elite 7.5" Upper [receiver] 5.56 Nato OD Green for \$329.00, for a total of \$338.99 with shipping and tax.
- February 3, 2021
 - Nickel Boron M16 Bolt Carrier Group for \$159.00, for a total of \$163.99 with shipping and tax.
- April 16, 2021
 - Ghost Firearms Elite 7.5" Upper [receiver] 5.56 Nato Burnt Bronze with an AR15CH \$22 Mil-Spec Charging Handle for \$351.00, for a total of \$360.99 with shipping and tax.
- May 5, 2021
 - Two M16 Bolt Carrier Groups for \$278.00, for a total of \$285.99 with shipping and tax.
- May 7, 2021

- Ghost Vital 10.5” Upper [receiver] 5.56 Nato – Black for \$279.00, for a total of \$261.09 with shipping and tax.
- May 29, 2021
 - A Grid Defense Pistol Stabilizing Pin for \$29.99;
 - A Ghost Vital 7.5” Upper [receiver] 300 Blackout with a \$139 Mil-Spec Bolt Carrier Group and an AR15CH \$22 Charging Handle for a total of \$440.00;
 - A Ghost Vital 10.5” Upper [receiver] 5.56 Nato – Black with a \$139 Mil-Spec Bolt Carrier Group and an AR15CH \$22 Charging Handle for a total of \$440.00; and
 - Two Polymer80 G150 Lowers – Black for \$75.00;
 - Totaling \$1,059.99, minus a discount of \$136.50, for a total of \$933.48 with shipping and tax.

The AM-15 pistol recovered by law enforcement on June 7, 2021, was assembled using the lower receiver purchased by SCOTT's mother on April 9, 2021 with the 7.5” Burnt Bronze upper receiver purchased by SCOTT from Grid Defense/Ghost Firearms on April 16, 2021.

Instagram Records (Videos and Messages)

treyvo00 Instagram Account Records

On December 27, 2021, the ATF agent obtained the Instagram records for an Instagram account “treyvo00” from Facebook. The subscriber information for the account was Treyvo Scott, aka Trevion SCOTT, with an associated telephone number (XXX) XXX-7080, which was SCOTT’s cell phone number as determined by investigators earlier in the investigation.

Chat Exchange with Unknown User

One Instagram chat exchange between SCOTT and another user between January 28, 2021 and July 28, 2021. On January 28, 2021, SCOTT wrote, “Ight give me \$850 and I’ll get you a 300 blackout.” The other person responded, “Bet ... How long will it take[?]” SCOTT replied, “My shit took like a week to come in.” SCOTT went on to explain that his was a 5.56 (caliber), but that he wished he had gone with the 300 blackout, because the 5.56 was more expensive. SCOTT asked the other person what barrel length the person wanted, “U want a 10.5 inch barrel or 7.5 inch[?]” The other person responded “7.5.”² SCOTT and the other person talk about meeting up at a store to talk about it.

² This 7.5 inch 300 blackout corresponds with the purchase that SCOTT made from Grid Defense/Ghost Firearms on May 25, 2021.

On February 4, 2021, the other person messaged SCOTT, “Send me a picture of dat shit you brought yesterday for I can show this white fire.” SCOTT sent this photo:



On February 9, 2021, SCOTT messaged the other person with a photo of a received package that appears to have been shipped by Grid Defense to SCOTT based upon the return address matching the address for Grid Defense/Ghost Firearms:



The other person reacted with a heart emoji. SCOTT said, “Home rn [(right now)] way (sic) [(meaning abbreviation “wya” (where you at?))].” The other person replied, “Store.” SCOTT responded, “Ight bet imma come bring it to u u wanna shoot it at my crib?” The other person replied, “Yeah.” SCOTT said, “Ight [(alright)].”

On February 13, 2021, SCOTT messaged the other person asking, “Want my arp [(AR pistol)]?” The other person responded, “Wym ... hell yeah.” SCOTT said, “I’ll sell it to you.” The other person asked, “How much[?]” SCOTT responded, “\$800.”

On July 6, 2021, the other person messaged SCOTT asking, “Whassgood with a stick [(firearm)?]” SCOTT responded, “Wym [(what you mean)?]” The

other person explained, asking SCOTT, “U got a stick [(firearm)] ready for me[?]” SCOTT replied, “Hell nah not rn [(right now)] got some other shit going on.”

On June 27, 2021, the other person messaged SCOTT, “send them pictures.” SCOTT replied by sending three images:





On July 18, 2021, the other person messaged SCOTT, “Aye you got 45 [(caliber)] bullets[?]” SCOTT replied, “Nah.”

On July 28, 2021, the other person messaged SCOTT, “I need sum of my bread [(money)].” SCOTT replied, “Ian got it bro and I got some other shit going on[.] we gotta work some out.” The other person responded, “Hell yeah I

³ In the photos the person on the right is holding what appears to be an AR style pistol featuring a black lower receiver and what appears to be a 10.5” black upper receiver. The upper receiver is consistent with the type of upper receivers that SCOTT purchased on May 7, 2021 and May 29, 2021 from Grid Defense/Ghost Firearms.

feel u[.] it's on you doe I gave u my bread [(money)].” SCOTT answered, “Let me get it right and I’ll get you another gun just wait on it.”

Video Upload

On June 24, 2021, SCOTT uploaded a video to his Instagram account, which contained an approximately 18 minute long video of SCOTT and unknown black male talking with an unknown white male who was sitting on a wooden bench underneath a tree on the side of a gas station convenience store. They talked about the fact that the white male apparently had prior military training from serving in the Army. Around the 10:40 minute mark of the video, the unknown black male standing with SCOTT said to the white male, “I really need you to put in some work for me. Me and him [(SCOTT)], you know automatic rifles? . . . We build automatic rifle pistols, the short one, maybe about that long.” He then explains that they need \$36,000 startup cash and can split it with the white male. The white male responds, “What are we gonna do put automatic trigger on it?” The unknown black male said, “You know how to do that shit don’t you?” The white male replied that he can take guns apart. SCOTT interjected, “You said you were in the Army didn’t you? They teach you that in the Army?” Shortly after the white male said, “I’m a bad motherfucker with a gun, which is why I don’t allow myself to carry a gun.” The unknown black male asked him, “You have a gun license?”



At approximately the 14:30 minute mark in the video, SCOTT walked over to a black car that has pulled into the parking lot of the gas station. He exchanged a handshake with the driver of the vehicle who asked SCOTT, “You got any a.r.p.s [(AR pistols)]?” SCOTT replied, “I ain’t got one ready right now. I had one yesterday. I sold it though.” The driver responded, “You don’t have any pistols right now?” SCOTT replied, “No, not no pistols for sale right now.”



On July 21, 2021, SCOTT posted an Instagram live video. At approximately the 2:50 minute mark, SCOTT is featured in the upper corner of the video and said, “If you need a gun, this one for sale.” At the same time SCOTT shared a still photo of a black AR style pistol:



On July 29, 2021, at approximately 3:29 p.m., SCOTT posted an Instagram live video to his account following the interview with law enforcement at his residence and prior to the interview at the MCSO. In the video, SCOTT is explained to his mother, “I kept telling them to report it stolen,” and “I got caught with this shotgun man.” His mother asked, “Whose shotgun is it?,” and SCOTT replied, “It’s mine.” SCOTT explained to his mother, “Ma, it’s illegal . . . it’s shorter than, it’s a felony, it’s shorter than 18

inches . . . it's a weapon of mass destruction.” At one point in the video, SCOTT was walking out of his residence and said into the camera, “Cody, you done got me in some shit.” The video then showed that investigators were still in the driveway of SCOTT’s residence and SCOTT’s mother was heard saying, “You cut it just working on it,” and SCOTT replied, “Mom, stop, stop, please. We got to go down to the station.”

Treyvos_gunshop Instagram Account

SCOTT created an Instagram account on April 5, 2020 with the account identifier “Trevos_gunshop.”

Instagram Business Record		Page 1
Service	Instagram	
Target	32744623354	
Account Identifier	Treyvos_gunshop	
Account Type	InstagramUser	

At an earlier time, the vanity name for the user was “treyvosexotic,” but was later changed “treyvos_gunshop.” Then it was changed again to “trevosp.p.p.,” SCOTT used an image of himself for the profile picture:



On July 5, 2021, SCOTT posted a story to his Instagram account which was a five second video panning over a table with various guns and a box of ammo on the table:



**Archived
Stories**

Story Id 17912900416787835

Timestamp 2021-07-05 02:38:29 UTC

The shotgun featured on the upper righthand corner of the image above and the close-up image above was identified by law enforcement as the same short-barreled shotgun that was recovered from SCOTT's bedroom closet on July 29, 2021.

This, the 1st day of September, 2022.

Respectfully submitted,

SANDRA J. HAIRSTON
United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on September 1, 2022, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following:

Ames C. Chamberlin, Assistant Federal Public Defender

Respectfully submitted,

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